

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re:)	Case No. 12-60636
)	
GEORGE MICHAEL RILEY, SR.,)	Chapter 7
)	
Debtor.)	Judge Hoffman
_____)	

**MOTION OF UNITED STATES TRUSTEE FOR ORDER DIRECTING
DEBTOR TO APPEAR FOR FED. R. BANKR. P. 2004 EXAMINATION AND
REQUEST FOR DOCUMENTS**

Now comes Daniel M. McDermott, United States Trustee (“UST”), Ohio/Michigan, Region 9, and pursuant to B. R. 2004(a), asks this Court to enter an order directing the Debtor to appear at the Office of the United States Trustee, 170 N. High Street, Suite 200, Columbus, OH 43215 on June 25, 2014, at 10:00 a.m. to be examined under oath with respect to the issues of Debtor’s income, expenses, assets, and debts, as outlined in their Petition, Schedules, Statements and Amendments, and to produce requested documents.

Pursuant to this Court’s General Order #12, this Motion does not require the twenty-one (21) day notice referenced in LBR 9013-1(a).

WHEREFORE, the UST requests an Order directing the Debtor to appear for a FED. R. BANKR. P. 2004 Examination on June 25, 2014, at the Office of the United States Trustee, 170 N. High Street, Suite 200, Columbus, OH 43215.

Dated: May 27, 2014

Daniel M. McDermott
United States Trustee
Region 9

By: /s/ Pamela Arndt
Pamela Arndt (0068230)
Attorney for the U.S. Trustee
170 North High Street, Suite 200
Columbus, Ohio 43215
Telephone: (614) 469-7411 ext. 228
Facsimile: (614) 469-7448
Email: Pamela.D.Arndt@usdoj.gov

MEMORANDUM OF LAW

FED. R. BANKR. P. 2004 provides in relevant part that “on motion of a party in interest, the court may order the examination of any entity” relating to the “acts, conduct, or property or to the liabilities and financial condition of the debtor, or to any matter which may affect the administration of the debtor’s estate, or to the debtor’s right to a discharge.”

An examination of the Debtor is necessary in this case to investigate Debtor’s income, expenses, assets, and debts. In particular, the UST is concerned about allegations that the Debtor failed to disclose certain assets, which may warrant a Complaint to Deny Discharge under 11 U.S.C. 727(a)(2) and/or (4). In connection with the Examination, the UST requests that the Debtor produce his federal income tax returns from 2011, 2012, and 2013.

WHEREFORE, the United States Trustee prays that pursuant to FED. R. BANKR. P. 2004, the Debtor be Ordered to appear and submit to examination under oath at the time and place stated herein, to produce the requested documentation, and for such other relief as is just and proper.

Dated: May 27, 2014

Daniel M. McDermott
United States Trustee
Region 9

By: /s/ Pamela Arndt
Pamela Arndt (0068230)
Attorney for the U.S. Trustee
170 North High Street, Suite 200
Columbus, Ohio 43215
Telephone: (614) 469-7411 ext. 228
Facsimile: (614) 469-7448
Email: Pamela.D.Arndt@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2014, a copy of the foregoing MOTION OF UNITED STATES TRUSTEE FOR ORDER DIRECTING DEBTOR TO APPEAR FOR FED. R. BANKR. P. 2004 EXAMINATION AND PRODUCE DOCUMENTS was served on the following registered ECF participants, electronically through the court's ECF System at the email address registered with the court:

Michael T. Gunner, hilliardlaw@hotmail.com
Pamela Arndt, Pamela.d.arndt@usdoj.gov
Tim J. Robinson, tim.robinson@dinsmore.com
Frederick L. Ransier, flransier@vorys.com

and on the following by ordinary U.S. Mail addressed to:

George Michael Riley, Sr.
594 Moull Street, Apt. 12
Newark, OH 43055

Michael T. Gunner
3535 Fishinger Boulevard, Suite 220
Hilliard, OH 43026

/s/ Pamela Arndt
Pamela Arndt